

## CLAIMS: DAMAGES CAUSED BY RIOT

*Protocol signed at Panama November 27, 1915*

*Entered into force November 27, 1915*

*Terminated December 9, 1916<sup>1</sup>*

Treaty Series 620

### PROTOCOL

The Government of the United States of America and the Government of the Republic of Panama, through their respective Plenipotentiaries, His Excellency, William Jennings Price, Envoy Extraordinary and Minister Plenipotentiary to Panama, on the part of the United States, and His Excellency, Ernesto T. Lefevre, Secretary of Foreign Affairs, on the part of the Republic of Panama, being duly authorized thereto, have agreed upon and concluded the following protocol:

WHEREAS, the Government of the United States claims indemnities for the death and injury of American citizens in a riot which occurred in Cocoa Grove, Panama City, July 4, 1912, and

WHEREAS, the Government of Panama has agreed, in principle, to the payment of such indemnities irrespective of the circumstances affecting the riot; and

WHEREAS, the two Governments have been unable to agree upon the amounts of such indemnities, and have concluded to submit to arbitration the determination of the amounts to be paid by the Republic of Panama, it is, therefore, agreed as follows:

### ARTICLE I

The High contracting parties agree to submit to His Excellency W. L. F. C. van Rappard, Envoy Extraordinary and Minister Plenipotentiary accredited by the Government of the Netherlands to the Governments of the United States and Panama, the determination of the amount of damages to be paid for each one of the American citizens killed and for each one injured as a result of the riot, and agrees that he shall award the amounts so determined against the Government of Panama.

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<sup>1</sup> On payment of award by Panama (1916 For. Rel. 918).

## ARTICLE II

His Excellency W. L. F. C. van Rappard shall determine the amounts of such damages upon such papers as may be presented to him by the Secretary of State of the United States and the Envoy Extraordinary and Minister Plenipotentiary of the Republic of Panama at Washington, respectively, within five months from the date of the signing of this agreement, but it is expressly understood and agreed that such papers shall relate only to the amount of damages to be paid.

The case shall then be closed unless His Excellency shall call for further documents, evidence, correspondence, or arguments from either Government, in which event, such further documents, evidence, correspondence or arguments shall be furnished within sixty days from the date of the call. If such documents, evidence, correspondence or arguments are not furnished within the time specified a decision in the case shall be given as if they did not exist.

The entire case of each Government shall be presented in writing.

## ARTICLE III

A reasonable honorarium to His Excellency W. L. F. C. van Rappard shall be paid by the Government of Panama.

## ARTICLE IV

The decision of His Excellency W.L.F.C. van Rappard shall be accepted as final and shall be binding upon the two Governments.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals.

Done at Panama the 27th day of November 1915.

WM. JENNINGS PRICE [SEAL]

E. T. LEFEVRE [SEAL]